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H.B. 635
134th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Introduced

Primary Sponsor: Rep. Lampton

Local Impact Statement Procedure Required: Yes

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Highlights

- Beginning January 2024, the creation of a second full-time municipal court judgeship in the Fairborn Municipal Court will increase the amount of GRF funding that the Supreme Court of Ohio disburses in the form of state support for a judgeship by an estimated \$89,628 or more annually.
- Beginning January 2024, the creation of a second full-time municipal court judgeship will increase judicial compensation-related local expenditures by \$61,750, plus benefit costs. Local costs will be shared between the city of Fairborn (60%) and Greene County (40%).
- The city of Fairborn and Greene County will incur additional ancillary costs (e.g., equipment and additional staff) to support the creation of the new judgeship.
- According to the city of Fairborn, it is expected that an additional prosecutor would need to be hired at the end of 2023 at a cost of nearly \$120,000 annually plus additional benefits and payroll-related costs.

Detailed Analysis

Additional judge for the Fairborn Municipal Court

Base salary

The bill adds one full-time judgeship in the Fairborn Municipal Court for a term beginning January 1, 2024. The annual salary of a full-time municipal court judge is statutorily set at \$151,378 for calendar year (CY) 2024, and consists of a local and state share determined by

statute. For the Fairborn Municipal Court, costs are further split between the city of Fairborn (60%) and Greene County (40%). The table below shows the cost breakdown through CY 2026.¹

| Full-Time Municipal Court Judge Salary CY 2024-CY 2026 | | | |
|---|------------------|------------------|------------------|
| State and Local Shares | CY 2024 | CY 2025 | CY 2026 |
| State Share | \$89,628 | \$92,277 | \$94,972 |
| Local Share | \$61,750 | \$61,750 | \$61,750 |
| <i>City of Fairborn (60%)</i> | <i>\$37,050</i> | <i>\$37,050</i> | <i>\$37,050</i> |
| <i>Greene County (40%)</i> | <i>\$24,700</i> | <i>\$24,700</i> | <i>\$24,700</i> |
| Total | \$151,378 | \$154,027 | \$156,722 |

Note: S.B. 296 of the 132nd General Assembly includes a series of 1.75% market adjustments over nine years (2020-2028). The local share of judicial salaries is unchanged under S.B. 296 and will remain at \$61,750 for full-time municipal court judges, with the balance being absorbed by the state.

Retirement

State and local elected officials are exempt from membership in the Ohio Public Employees Retirement System (OPERS), unless they choose to become members. As most elected officials do accept membership in OPERS, this analysis includes OPERS payments.

The state and local share contribute at the rate of 14% of their share amounts, respectively. The local share will contribute nearly \$8,650 annually (split between the city of Fairborn – 60% and Greene County – 40%). The state will contribute nearly \$12,550 annually in retirement costs in CY 2024 and increase proportionately as the base salary adjusts annually.

Payroll and other costs

The state, the city of Fairborn, and Greene County also pay for other payroll-related charges, as detailed below.

The state pays for certain percentages of the salary in payroll-related charges as follows: Medicare for all employees hired after April 1986, workers' compensation, Department of Administrative Services' payroll services, Office of Budget and Management services, Equal Employment Opportunity Commission, Office of Information Technology services, Ohio Administrative Knowledge System, and group life insurance. Typically, these charges are around 5% of the salary or less.

The local share of additional payroll-related charges, including group life insurance, group health insurance, and a health savings account, is split between the city of Fairborn and Greene

¹ Compensation is set by statute and split between the state (Ohio Supreme Court) and the local jurisdiction. Certain fringe benefits are also split, for example OPERS (Ohio Public Employees Retirement System).

County, with 60% of charges being covered by the city and 40% by the county. The court anticipates that these expenses will range from approximately \$25,600 to \$28,400 from CY 2024 to CY 2026, respectively.

Additionally, there may be some ancillary and administrative costs related to the addition of a second judge (e.g., updates to stationary, signage, and the court's website). Expenses to the local jurisdiction would also include unknown costs for offices and courtroom space. According to the city of Fairborn, it is expected that an additional prosecutor would need to be hired at the end of 2023. Based on salary estimates from the city of Fairborn, the annual salary would be nearly \$120,000 annually plus additional payroll-related costs.